

REMARKS

Claims 4 and 11 have been amended by incorporating the limitations of Claims 13 and 14, respectively. Claims 13 and 14 have been canceled without prejudice. Accordingly, Claims 4 and 11 are pending in this application. The amendments do not constitute the addition of any new matter to the specification. Applicant respectfully requests entry of the amendments and reconsideration of the application in view of the amendments and the following remarks.

Rejection of Under 35 U.S.C. § 102

Claims 4, 11, 13 and 14 have been rejected under 35 U.S.C. § 102(b) and (e) as being anticipated by Kim (WO 00/44990 and U.S. Patent 6,637,973, respectively). Claims 13 and 14 have been canceled. Claims 4 and 11 as amended herein could not be anticipated by Kim as explained below.

Kim discloses an automobile road indicating device in which light emitted from an automobile is condensed by convex lens of light condensing means, transferred along an optical cable, transformed into straight-advancing parallel light by luminous means installed apart at a predetermined distance and illuminated to a long distance, where the light emitted from headlights of a driver's automobile does not reach, thereby effectively securing his visible distance in driving to improve the driver's safety (see page 3, lines 5-11 of WO 00/44990).

As the Examiner point out, in Kim, light is received from a vehicle and transmitted forwardly of the vehicle and reflected towards an oncoming vehicle, i.e., in front of the driver to secure his visible distance in driving. In contrast, in the present invention, the light is reflected from the side of a second oncoming vehicle following a first oncoming vehicle toward a vehicle waiting to make a left turn at an intersection so that the driver of the waiting vehicle can see the reflected light. Thus, one end of the optical fiber is installed on a side of the road and the other end is installed near the intersection, as recited in the presently pending claim. As a result, the driver of the waiting vehicle can deem conditions to be safe taking into consideration, the presence or absence of the light reflected. Kim neither discloses nor suggests such an arrangement of optical fibers. Moreover, the presently recited invention requires placement of the system near an intersection.

For the above purpose of Kim, i.e., effectively securing the driver's visible distance in driving to improve his safety, the invention disclosed in Kim is used in a dark place where no

Appl. No. : 09/976,665
Filed : October 10, 2001

light is placed. Rather, the invention of Kim is not needed at an intersection because lights have been placed around the intersection. Accordingly, for this additional reason, the presently pending claims are patentable over the Kim reference.

In conclusion, Kim fails to disclose not only the purpose of the present invention, but also the structure of the present invention. Since Kim fails to disclose every element of the claimed invention, withdrawal of the rejection under 35 U.S.C. § 102 is respectfully requested.

CONCLUSION

In light of the Applicant's foregoing Remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: February 20, 2004

By: 

Daniel E. Altman
Registration No. 34,115
Attorney of Record
Customer No. 20,995
(949) 760-0404

H:\DOCS\TOS\KOD69A.001AUS\KO69A.001AUS.AMEND5.DOC
021104